

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

ORDER ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

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The parties before the court have expressly waived the fourteen (14) day period under 28 U.S.C. § 636(b)(1)(C) for making written objections to the findings and recommendations to the Magistrate Judge's report and recommendation.

Having received the report of the United States Magistrate Judge, and all parties having waived the 14-day objection period, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is therefore **ORDERED** that the Report and Recommendation of United States Magistrate Judge [Doc. #22] is hereby adopted. Plaintiff Gulf Crossing Pipeline Company LLC's Motion for an Order Confirming Condemnation Authority and for Immediate Possession of Property Interests under FED. R. CIV. P. 65(a) [Doc. #9] is **GRANTED** as set forth in the report.

It is further **ORDERED** that Plaintiff Gulf Crossing Pipeline Company LLC's Motion for Leave to Deposit Funds [Doc. #10] is **GRANTED** as follows:

Plaintiff shall deposit into the registry of the Court the sum of Three Thousand, Five Hundred Dollars (\$3,500.00), which is subject to immediate withdrawal by the remaining Defendant landowners, whoever they may be who may own any undivided interests in the Defendant 25-acre tract and who have not already entered into agreements with Plaintiff for the necessary interests in land sought in this action.

Upon deposit, said interest holder or holders may, upon application to the court, withdraw all or part of the above amounts attributable to their undivided interests, and at their peril, i.e. that in the event a just compensation award is made in favor of the interest holder for less than the amount withdrawn, the interest holder would be liable for return of the excess with interest to Gulf Crossing.

A preliminary injunction regarding Plaintiff's right of immediate possession of the interests in the property sought in condemnation shall be issued by this court in accordance with the report.

So **ORDERED** and **SIGNED** this **4** day of **January, 2014**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

Ron Clark, United States District Judge